

ESTTA Tracking number: **ESTTA435376**

Filing date: **10/12/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

| | |
|---------------------------------------|---|
| Name | JKL Partners LLC |
| Granted to Date of previous extension | 10/12/2011 |
| Address | 76 LaSalle Road West Hartford, CT 06107 UNITED STATES |
| Correspondence information | James A. Power Jr Power Del Valle LLP 233 West 72nd Street New York, NY 10023 UNITED STATES jp@powerdel.com Phone:212-877-0100 |

Applicant Information

| | | | |
|------------------------|--|------------------------|------------|
| Application No | 85078567 | Publication date | 06/14/2011 |
| Opposition Filing Date | 10/12/2011 | Opposition Period Ends | 10/12/2011 |
| Applicant | Addriya Yoga, LLC P.O. Box 651 Tybee Island, GA 31328 UNITED STATES | | |

Goods/Services Affected by Opposition


| |
|--|
| Class 025. All goods and services in the class are opposed, namely: Shirts, T-shirts, pants, warm up outfits, jackets, hats, towels, sweatbands, caps, bandanas, shorts, leotards, underwear, socks, armbands |
| Class 035. Opposed goods and services in the class: On-line retail store services featuring apparel |

Grounds for Opposition

| | |
|--------------------------------------|----------------------------|
| Priority and likelihood of confusion | Trademark Act section 2(d) |
|--------------------------------------|----------------------------|

Mark Cited by Opposer as Basis for Opposition

| | | | |
|----------------------|----------|-----------------------|------------|
| U.S. Application No. | 77827145 | Application Date | 09/15/2009 |
| Registration Date | NONE | Foreign Priority Date | NONE |
| Word Mark | ARIYA | | |

| | |
|---------------------|---|
| Design Mark |  |
| Description of Mark | NONE |
| Goods/Services | Class 025. First use: Blouses; Clogs; Coats; Denims; Dresses; Footwear; Gloves; Hats; Jackets; Jeans; Leggings; Lingerie; Pants; Rainwear; Sandals; Scarfs; Shirts; Shorts; Skirts; Sleepwear; Slippers; Socks; Sweaters; Swim wear; T-shirts; Tops; Undergarments |

| | |
|-------------|--|
| Attachments | 77827145#TMSN.jpeg (1 page)(bytes) Notice Opposition.pdf (5 pages)(47259 bytes) Exh A Ariya Jeans.pdf (1 page)(249641 bytes) Exh B Addriya page.pdf (1 page)(277632 bytes) |
|-------------|--|

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

| | |
|-----------|-------------------|
| Signature | /jpower/ |
| Name | James A. Power Jr |
| Date | 10/12/2011 |

UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD

Attorney Ref. 256.609

| | | |
|--------------------|---|----------------------------|
| JKL PARTNERS, LLC, |) | |
| |) | In the Matter of: |
| |) | |
| Opposer, |) | Application No. 85/078,567 |
| |) | |
| v. |) | Mark: ADDRIYA |
| |) | |
| ADDRIYA YOGA, LLC |) | |
| |) | |
| Applicant. |) | |
| |) | |

Commissioner for Trademarks
Arlington, Virginia 22202-3513

NOTICE OF OPPOSITION

Opposer JKL Partners, LLC., a Connecticut limited liability company having a place of business at 76 LaSalle Road, West Hartford, Connecticut, believes that it will be damaged by the registration sought in the above identified application and hereby opposes such registration on the following grounds:

1. Addriya Yoga, LLC (“Applicant”), on July 6, 2010, filed in the United States Patent and Trademark Office application ser. no. 85/078,567 to register the mark ADDRIYA on the Principal Register for, *inter alia*, “shirts, t-shirts, pants, warm up outfits, jackets, hats, towels, sweatbands, caps, bandanas, shorts, leotards, underwear, socks, armbands” in international class 25, on the basis of a *bona fide* intent to use the mark in commerce, pursuant to section 1(b) of the Lanham Act.

2. Upon information and belief, Applicant has not used the mark ADDRIYA in the United States or in Commerce in international class 25 at any time prior to the filing of its application.

3. Pending in the United States Patent and Trademark Office is the application of JKL Partners, LLC (“Opposer”), ser. no. 77/827,145 filed September 15, 2009, to register ARIYA as its trademark on the Principal Register for “blouses, clogs, coats, denim, dresses, footwear, gloves, hats, jackets, jeans, leggings, lingerie, pants, rainwear, sandals, scarfs, shirts, shorts, skirts, sleepwear, slippers, socks, sweaters, swim wear, t-shirts, tops, undergarments” in international class 25, on the basis of its *bona fide* intent to use the mark in Commerce, pursuant to section 1(b) of the Act.

4. Opposer has been using its ARIYA trademark in Commerce in the United States, through its licensor, Onyx Design Group. LLC, in connection with denim jeans and pants and in a stylized manner as shown in Exhibit A since long prior to Applicant’s filing of its application to register ADDRIYA and any use of that mark by Applicant. Opposer has thus acquired valuable good will in the ARIYA trademark and a reputation for quality jeans and apparel throughout the United States.

5. Applicant’s proposed mark ADDRIYA is confusingly similar to Opposer’s ARIYA mark in appearance, sound and/or commercial impression.

6. Upon information and belief, Applicant’s principal business relates to the marketing and sale of goods and services directed to the utilization of yoga in learning by children having special educational needs. One such need to which Applicants’ products and services is directed is Attention Deficit Disorder, commonly known and referred to as “ADD.”

7. Opposer's mark ARIYA has significance as a meditative state or level of enlightenment in Buddhism and is commonly associated with the practice of yoga.

8. Apart from the similarity between Applicant's and Opposer's marks, the interposition of "ADD" with "ARIYA" in Applicant's mark is likely to cause confusion as to association, sponsorship or source of Applicant's goods and services with Opposer's goods.

9. Upon information and belief, Applicant has used or intends to use the mark ADDRIYA in Commerce in a stylized manner as shown in Exhibit B.

10. In addition to the similarity between Applicant's and Opposer's word marks which they have applied to register, the similarity between the stylization used by Opposer and that used or intended to be used by Applicant is likely to cause confusion as to association, sponsorship or source of Applicant's goods and services with Opposer's goods.

11. The goods described in Applicant's application are similar to and substantially overlap those listed in Opposer's application and are classified in the same international class 25.

12. The respective goods of Opposer and Applicant are identical or closely related and are likely to travel through the same channels of trade to the same classes of purchasers.

13. Applicant's proposed ADDRIYA mark used on and in connection with apparel and/or retail services featuring apparel is likely to cause confusion, to cause mistake or to deceive consumers and the trade as to the source, origin or sponsorship of Applicant's goods and services and Opposer's ARIYA goods.

14. Applicant's registration of the mark ADDRIYA in international class 25 and 35 for retail services featuring apparel would be inconsistent with opposer's exclusive rights to use and register the mark ARIYA for the goods identified in its pending application, would create an incorrect record, may be used unfairly as a basis for questioning Opposer's lawful use of its marks and would, therefore, interfere with Opposer's rights to use said mark in Commerce.

15. Applicant should therefore be refused registration of ADDRIYA as a trademark for apparel and related goods and services on the grounds that it is likely to cause confusion, mistake or to deceive in violation of section 2(d) of the Act.

WHEREFORE, Opposer prays that this opposition be sustained, that registration of the mark ADDRIYA to Applicant in international class 25 and class 35 for retail store services featuring apparel be refused, and that Opposer be granted such other and further relief as this Board deems just and proper.

JKL PARTNERS, LLC

New York, New York
October 12, 2011

By: /jpower/
James A. Power Jr
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Attorneys for Opposer

Certificate of Filing and Service

It is hereby certified that, on October 12, 2011, the foregoing Notice of Opposition was transmitted to the Board via ESTTA and that a copy thereof was served by first class mail, postage prepaid, in an envelope addressed to the attorney of record for Applicant, as follows:

Jason A. Bernstein, Esq.
Barnes & Thornburg, LLP
3475 Piedmont Road, N.E., Suite 1700
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Attorneys for Opposer



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YOGA AND SPEECH-LANGUAGE PATHOLOGY PRESENTATION

Posted by: [admin](#) on November 9, 2010

Here are slides from Christine's presentation at the American Speech and Hearing Association (ASHA) annual convention in Philadelphia Nov 2010. This presentation reviews the benefits of yoga and yogic exercises, such as breathing techniques, that can be employed to help remediate speech and language disorders in children.

The presentation addresses the benefits of yoga on kids and especially those receiving speech and language services from speech-language pathologists (SLP). Children with disorders such as articulation, language, autism spectrum, ADD, ADHD, fluency can all benefit from yogic exercises which reduces anxiety and lowers stress levels resulting in more attentive, more task-focused and more retentive children.

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